

SEP. 23. 2004. 5:10PM

NO. 276

RECEIVED
CENTRAL FAX CENTER
SEP 23 2004
P. 1/3

**Allen, Dyer, Doppelt,
Milbrath & Gilchrist, P.A.**

----- INTELLECTUAL PROPERTY ATTORNEYS -----

255 South Orange Avenue • Suite 1401 • Orlando, FL 32801
Mail to: P. O. Box 3791 • Orlando, FL 32802-3791
tel: 407-841-2330 • fax: 407-841-2343
cregan@addmg.com

FACSIMILE COVER SHEET

TO: Examiner T. NGUYEN – United States Patent and Trademark Office

CLIENT NAME/NUMBER: 62601

TELEPHONE: 1-571-272-1790

FAX NO: 1-703-872-9306

FROM: Christopher F. Regan, Esq.

DATE: September 23, 2004

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

COMMENTS/INSTRUCTIONS:

Please see attached Response to Election Requirement in reply to the Examiner's Election Requirement of August 26, 2004 for U.S. Patent Application Serial No. 10/647,060.

NOTE: The information in this facsimile transmission is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication and as such is privileged.

If the reader of this message is not the intended recipient named above, you are notified that you have received this document in error, and any review, dissemination, distribution or copying of this message is strictly prohibited.

If you have received this document in error, please notify this office immediately via telephone, and return the original message to the above address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION, PLEASE CONTACT THE RECEPTIONIST IMMEDIATELY AT (407) 841-2330

SEP. 23. 2004 5:10PM

NO. 276

P. 2/3

RECEIVED
CENTRAL FAX CENTER

SEP 23 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
MEARS ET AL.) Examiner: T. NGUYEN
)
Serial No. 10/647,060) Art Unit: 2818
)
Confirmation No. 9704) Attorney Docket No. 62601
)
Filing Date: AUGUST 22, 2003)
)
For: SEMICONDUCTOR DEVICE INCLUDING)
BAND-ENGINEERED SUPERLATTICE)
)

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the election requirement of August 26, 2004, Applicants elect specie I as disclosed in Claim 1 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The claims readable on specie I are Claims 1-71. Independent Claim 1 is generic to all of the claims. If prosecution on the merits can be advanced through a telephonic interview, the Examiner is encouraged to contact the undersigned attorney at the number listed below.

Respectfully submitted,



CHRISTOPHER F. REGAN
Reg. No. 34,906
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Ave., Suite 1401
P. O. Box 3791
Orlando, Florida 32802-3791
(407) 841-2330
Attorney for Applicants

In re Patent Application of:
MEARS ET AL.
Serial No. 10/647,060
Confirmation No. 9704
Filed: AUGUST 22, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has
been forwarded via facsimile number 1-703-872-9306 to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 this 23rd day of September, 2004.


